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REMARKS

Claim Status

Claims 2-16, 21, 46-49, and 54-64 are pending in the application. Claims 2-16, 21, 46-49, 56-58 and 63-64 have been canceled without prejudice to Applicants' right to pursue the subject matters in a future application. Claims 54-55, 59-62 have been amended. Claims 65-70 have been added and there is no issue of new matter.

Rejection Under 35 U.S.C. §112, 1st Paragraph, Enablement

Claims 2-16, 21, and 46-49 are rejected under 35 U.S.C. §112, 1st paragraph, for lack of enablement. The rejection is respectfully traversed.

In order to expedite the prosecution of this application, claims 2-16, 21, and 46-49 have been canceled without prejudice. Hence, the rejection is moot.

Objections To The Disclosure

Claims 8, 54, and 56-64 are objected to for various informalities.

The Examiner points out that the term "Aminonicotinamide" is improperly capitalized in claim 54; "Bromopyruvate" is improperly capitalized in claim 58; "Composition" is improperly capitalized in claims 56 and 57; "Adria" in claims 59 and 60 should be "Adriamycin"; the trademark "F16" in claims 61 and 62 should be replaced by "4[(1E)-2-(1H-indol-3-yl)ethenyl]-1-methyl-pyridinium iodide"; and "the cancer or breast" in claims 63 and 64 should be "the cancer is breast". Applicants submit that claims 56-58 have

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been canceled without prejudice, and claims 54, 59-62 have been amended as helpfully suggested by the Examiner.

Rejection Under 35 U.S.C. §112, Second Paragraph

Claims 2-16, 21, 46-49, and 54-64 are rejected under 35 U.S.C. §112, second paragraph, as being indefinite. The rejection is respectfully traversed.

The Examiner contends that claims 54 and 55 should be restyled as a pharmaceutical composition, reciting "A pharmaceutical composition comprising [active ingredients] in combination with a pharmaceutically acceptable carrier". In response, Applicants submit that claims 54 and 55 have been amended as helpfully suggested by the Examiner.

The Examiner points out that the term "at concentration" in claims 54 and 55 is technically incorrect. In response, Applicants submit that the term "at concentration" has been deleted from claims 54 and 55.

The Examiner contends that the term "comprises" in claims 54 and 55 is superfluous because the previous term "comprising" at line 1 is sufficient to protect Applicants' interest. In response, Applicants submit that the term "comprises" has been deleted from claims 54 and 55.

The Examiner points out that the term "wherein the combination further comprises" in claims 56-62 should be replaced with the term "further comprising" in order for these claims to be properly dependent from amended claims 54 and 55. Applicants

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submit that claims 58-62 have been amended as helpfully suggested by the Examiner.

Claims 2-16, 21, 46-49, and 56-58 have been canceled. Accordingly, Applicants respectfully request that the rejection of claims 54-64 under 35 U.S.C. §112, second paragraph, be withdrawn.

Double Patenting

Claims 21, 46-49, and 63-64 are provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 68-77 of copending Application No.10/172,346.

In response, Applicants respectfully request that the rejection be held in abeyance until either one of the applications has been allowed.

Rejection Under 35 U.S.C. §102(b)

1. Claims 2-3, 5-9, 11, 16, 21, 54-55, and 59-60 are rejected under 35 U.S.C. 102(b) as being anticipated by Nord et al. Claims 2-3, 5-9, 11, 16, 21, 54-55, and 59-60 are also rejected under 35 U.S.C. 102(b) as being anticipated by Stolfi et al. The rejection is respectfully traversed.

Claim 54 has been amended to recite a composition comprising 6-methylmercaptapurine riboside (MMPR), 6-aminonicotinamide (6-AN), N-(phosphonacetyl)-L-aspartic acid (PALA), dehydroepiandrosterone (DHEA), and oxythiamine (OT). Claims 55 has been amended to recite a composition comprising N-(phosphonacetyl)-L-aspartic

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acid (PALA), alanosine (AL), 6-methylmercaptapurine riboside (MMPR), and 3-bromopyruvate (BrPA). Claims 59-62 are dependent from claims 54 and 55.

Applicants submit that neither Nord et al. nor Stolfi et al. teach or suggest a composition with the ingredients as claimed herein. Since neither Nord nor Stolfi teaches or suggests each and every aspect of the present invention, the cited references do not anticipate the present invention. Claims 2-3, 5-9, 11, 16, and 21 have been canceled without prejudice. Accordingly, Applicants respectfully requests that the rejection of claims 54-55 and 59-62 under 35 U.S.C. 102(b) be withdrawn.

If a telephone interview would be of assistance in advancing the prosecution of the subject application, Applicants' undersigned attorney invites the Examiner to telephone him at the number provided below. If any additional fee is required, authorization is hereby given to charge the amount of any such fee to Deposit Account No. 50-1891.

Respectfully submitted,

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